

Other Provisions of Senate Bill 5

- A. **Petitions Filed Before October 26, 2002-** Annexation petitions filed before the effective date of the Act are to be processed and decided by the commissioners on the basis of the current- “old”- law.
- B. **Cost of Processing annexation Petitions** – The Act authorizes the commissioners to establish fees or a schedule of fees and a deposit for the processing of annexation petitions. Fees or deposits must be established by resolution of the board, and the clerk is required to keep an accurate accounting of the moneys received and expended. The Act also requires the cost of court reporters, transcribing of the record, and subpoenas to be paid by the requesting party.
- C. **Delegation of Certain Responsibilities to Commissioners’ Clerk or county Administrator** – The board may, by resolution, delegate to the clerk or county administrator the responsibilities to set the date of annexation hearings and to provide required notices to these hearing dates to the agent for the petitioners.
- D. **Land Situated in More Than One County** – If an annexation petition includes land in more than one county, it is heard in the county that has the greatest amount of acreage included in the petition.
- E. **Definition of Owner-** The Act modifies the definition of an owner for the purposes of signing an annexation petition. It also includes provisions that define how to determine if certain persons have the authority to sign a petition of corporate and institutional entities. The Act also allows certain parties to require the agent of the petitioner to prove that a person actually had the authority to sign the petition on behalf of corporate and institutional entities.
- F. **Annexation Agreements-** The Act grants broad authority for a municipality and township(s) to enter into a new intergovernmental agreement referred to as an Annexation Agreement. This agreement or a Cooperative Economic Development Agreement Which is authorized under current law, is required for an Expedited Type 1 Annexation. Such an agreement may also modify the schedule of scaled payments required to be made by the municipality to the township(s) if a municipality excludes the annexed land from the township(s) pursuant to ORC 503.07.
- G. **Mandatory Payments of Compensation to Township(s) by Municipality After Annexation and Withdrawal of the Annexed Land From the Township(s)-** Commonly referred to as reparations or revenue sharing, the Act provides that after granting an annexation and the exclusion of the annexed territory from the township(s), the municipality will make payments to the township(s) for lost property tax revenue for a period of twelve years. The property tax reimbursement schedule varies depending on the classification of the property with residential and retail property following one schedule and commercial and industrial following a second schedule.
- H. **Other Property Tax Provisions-**the Act includes a variety of other provisions related to property taxes, mainly dealing with inside millage consideration.

- I. **Impact on Agricultural Districts Law-** The Act makes some consistency changes relating to agricultural districts established under ORC Chapter 929. These changes primarily deal with the rights of municipalities to disapprove the establishment or renewal of agricultural district including land that has been annexed.
- J. **Substantial Compliance with Procedural Requirements-** The Act specifies that the procedural requirements are “directory” in nature. It states that substantial compliance is sufficient to grant the board jurisdiction to hear an annexation and render a decision. If a procedural defect is found, it directs the board to cure the defect. Finally, the Act states that the board shall not deny a petition solely on the basis of a procedural defect.